

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESSICA E. ALBORNOZ,

Plaintiff,

v.

WAL-MART ASSOCIATES, INC., et al.,

Defendants.

Case No. 1:22-cv-01229-JLT-CDB

ORDER ON STIPULATION AMENDING
SCHEDULING ORDER

(Doc. 57)

Pending before the Court is the parties' second stipulated request to extend the discovery deadlines set forth in the Scheduling Order for the limited purpose of completing two noticed depositions. (Doc. 57).

The parties represent in their stipulation that they were unable to proceed with the noticed deposition of nonparty witness Angie Carreles on August 14, 2023, because Ms. Carreles had a family emergency and is not available to appear until after the current nonexpert discovery cutoff date of August 19, 2023. (*Id.* at 2). In addition, the parties represent they were unable to complete the deposition of Plaintiff due to her development of medical issues some hours after her deposition commenced on August 15, 2023. (*Id.*) Further, the parties aver that these unforeseen delays will adversely impact their ability to timely complete expert discovery within the existing timeline. (*Id.* at 3).

1 The Court finds that the parties' representations satisfy the requirements under Fed. R.
2 Civ. P. 16(b)(4) to show good cause and diligence. *See Johnson v. Mammoth Recreations, Inc.*,
3 975 F.2d 604, 609 (9th Cir. 1992). Fact discovery shall be extended for the limited purpose of
4 conducting the depositions of Plaintiff and Angie Carreles, and those depositions shall occur no
5 later than October 3, 2023.

6 Accordingly, based on the parties' representations in their stipulation and for good cause
7 shown, IT IS HEREBY ORDERED that that the following case management dates are extended:

8 1. Nonexpert discovery extended from August 19, 2023, to **October 3, 2023.**

9 Plaintiff shall be deposed by September 27, 2023, and Angie Carreles shall be
10 deposed by October 3, 2023.

11 2. Initial expert disclosures extended from September 8, 2023, to **October 23, 2023.**

12 3. Rebuttal expert disclosures extended from September 22, 2023, to **November 6,**
13 **2023.**

14 4. Expert discovery extended from October 20, 2023, to **December 4, 2023.**

15 IT IS SO ORDERED.

16 Dated: **August 21, 2023**

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18 UNITED STATES MAGISTRATE JUDGE
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